

THE HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PLAINTIFF PACITO; PLAINTIFF ESTHER;
PLAINTIFF JOSEPHINE; PLAINTIFF SARA;
PLAINTIFF ALYAS; PLAINTIFF MARCOS;
PLAINTIFF AHMED; PLAINTIFF RACHEL;
PLAINTIFF ALI; HIAS, INC.; CHURCH
WORLD SERVICE, INC.; and LUTHERAN
COMMUNITY SERVICES NORTHWEST,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States; MARCO RUBIO,
in his official capacity as Secretary of State;
KRISTI NOEM, in her official capacity as
Secretary of Homeland Security; ROBERT F.
KENNEDY, JR., in his official capacity as
Secretary of Health and Human Services,

Defendants.

Case No. 2:25-cv-255-JNW

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION ON
SUPPLEMENTAL PLEADING**

INTRODUCTION

1. This matter came before the Court on Plaintiffs' motion for a preliminary injunction on their supplemental pleading. Plaintiffs challenge the State Department's termination of every resettlement agency cooperative agreement to provide reception and placement services (the "R&P Termination") and the State Department's termination of many of the cooperative agreements to

1 provide USRAP-processing support abroad (the “Processing Termination,” and together with the
 2 R&P Termination, the “USRAP Funding Termination”). The State Department communicated the
 3 USRAP Funding Termination to resettlement partners via notices sent beginning on February 26,
 4 2025 (the “Termination Notices”). The USRAP Funding Termination has the effect of permanently
 5 halting the resettlement of refugees and decimating the organizations that serve them.

6 2. Having considered the motion, Defendants’ response, if any, and the argument of
 7 the parties, if any, the Court **GRANTS** Plaintiffs’ motion for a preliminary injunction on their
 8 supplemental pleading. The Court enters the following findings of fact and conclusions of law.

9 **FINDINGS OF FACT**

10 3. Plaintiffs face irreparable injury as a result of the USRAP Funding Termination.
 11 The USRAP Funding Termination harms Plaintiffs by forcing some, like Church World Service,
 12 Inc. and HIAS, Inc., to furlough or lay off staff members, threatening their ability to survive into
 13 the future. The individual Plaintiffs are severely harmed in various ways, including the inability to
 14 pursue refugee applications and travel to the United States, the resulting prolonged separation from
 15 family members and increased risk of physical harm while stranded abroad, and the loss of
 16 statutorily created benefits and case-management support once in the United States.

17 4. These harms are immediate, ongoing, and significant and cannot be remedied in the
 18 ordinary course of litigation.

19 **CONCLUSIONS OF LAW**

20 5. The Court has jurisdiction over Defendants and the subject matter of this action.

21 6. The Court deems no security bond is required under Federal Rule of Civil
 22 Procedure 65(c).

23 7. To obtain a preliminary injunction, Plaintiffs must establish that (1) they are likely
 24 to succeed on the merits, (2) irreparable harm is likely in the absence of preliminary relief, (3) the
 25 balance of equities tips in their favor, and (4) an injunction is in the public interest. *Winter v. Nat.*
 26 *Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008).

8. Based on the findings of fact set forth above and established Ninth Circuit precedent, there is a strong likelihood that Plaintiffs will succeed on the merits of their claims that the USRAP Funding Termination violates the Refugee Act, the Administrative Procedure Act, the Impoundment Control Act, and the U.S. Constitution. *See Hawai'i v. Trump*, 859 F.3d 741, 788 (9th Cir. 2017); *Doe v. Trump*, 288 F. Supp. 3d 1045, 1078–86 (W.D. Wash. 2017).

9. Plaintiffs have also shown that they are likely to suffer irreparable harm in the absence of preliminary relief. The USRAP Funding Termination does and will continue to directly impact Plaintiffs, immediately threatening the continued operations of the organizational Plaintiffs and causing further layoffs and furloughs of staff members. The USRAP Funding Termination will also cause irreparable harm to the individual Plaintiffs, immediately causing many to lose indefinitely the opportunity to resettle in the United States, lose funds, lose benefits and support once in the United States, experience family separation, and suffer ongoing risk of physical harm due to their inability to seek refugee status in the United States.

10. The balance of equities tips toward the Plaintiffs and the public interest strongly weighs in favor of entering preliminary relief.

PRELIMINARY INJUNCTION

Now, therefore, it is hereby **ORDERED** that, in addition to the terms of the preliminary injunction issued by the Court on February 28, 2025, *see* Dkt. # 45:

11. Defendants and all their respective officers, agents, servants, employees and attorneys, and any person in active concert or participation with them who receive actual notice of this order, are hereby fully enjoined from enforcing or implementing any portion of Defendants' termination of USRAP-related funding provided to resettlement partners through their cooperative agreements with the U.S. State Department, including as reflected in the Termination Notices the U.S. State Department sent to resettlement partners beginning on February 26, 2025.

1 12. Defendants' attorneys shall provide written notice of this Order to all Defendants
2 and agencies and their employees, contractors, and grantees by March ___, 2025, at ___ a.m./p.m.
3 Defendants shall file a copy of the notice on the docket at the same time.

4 13. Defendants' attorneys shall submit a status report detailing their efforts to comply
5 with this Court's preliminary injunction on the supplemental pleadings by March ___, 2025, and
6 the Parties shall submit a joint status report on the steps taken to comply with the Court's
7 preliminary injunction on the supplemental pleadings by March ___, 2025.

8 14. This preliminary injunction remains in effect pending further orders from this
9 Court.

10 **IT IS SO ORDERED.**

11
12 Dated this ___ day of March, 2025.

13
14 _____
United States District Judge

Presented by:

s/ Harry H. Schneider, Jr.

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CERTIFICATE OF SERVICE

I certify under penalty of perjury that on March 5, 2025, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notification of the filing to the email addresses indicated on the Court's Electronic Mail Notice List.

Dated: March 5, 2025

s/ Harry H. Schneider, Jr.
Harry H. Schneider, Jr.